

SOLICITOR

AO 120 (Rev. 3/04)

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| TO Commissioner of Trademarks P.O. Box 1451 Alexandria, VA 22313-1451 ATTN: TTAB | | MAY 26 2010 | REPORT ON THE FILING OR DETERMINATION OF AN U.S. PATENT & TRADEMARK OFFICE ACTION REGARDING A PATENT OR TRADEMARK | |
|--|--|-------------|--|--|

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court, Southern District of New York, on the following Patents or Trademarks:

| DOCKET NO. 10 cv 4140 | DATE FILED 5/19/10 | U.S. DISTRICT COURT 500 Pearl Street New York, NY 10007 |
|---|--------------------------------|--|
| PLAINTIFF Medicis Pharmaceutical Corporation | | DEFENDANT Nycomed U.S. Inc. |
| PATENT OR TRADEMARK NO. | DATE OF PATENT OR TRADEMARK | HOLDER OF PATENT OR TRADEMARK |
| 1 6,765,001 | | see enclosed documents |
| 2 7,217,422 | | |
| 3 7,220,421 | | |
| 4 | | |
| 5 | | |

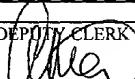
In the above—entitled case, the following patent(s)/ trademark(s) have been included:

| DATE INCLUDED | INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading | |
|----------------------------|---|-------------------------------|
| PATENT OR TRADEMARK NO. | DATE OF PATENT OR TRADEMARK | HOLDER OF PATENT OR TRADEMARK |
| 1 | | |
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In the above—entitled case, the following decision has been rendered or judgement issued:

| | |
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| DECISION/JUDGEMENT |  05-24-2010 |
|--------------------|--|

U.S. Patent & TM Offc/TM Mail Rpt D: #01

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| CLERK Ruby J. Krajick | (BY) DEPUTY CLERK  | DATE 5/19/2010 |
|--------------------------|--|-------------------|



US06763001B2

(12) **United States Patent**
Gans et al.

(10) Patent No.: **US 6,765,001 B2**
(45) Date of Patent: **Jul. 20, 2004**

(54) **COMPOSITIONS AND METHODS FOR
ENHANCING CORTICOSTEROID
DELIVERY**

(75) Inventors: Eugene H. Gans, Westport, CT (US);
Mitchell S. Wortzman, Scottsdale, AZ (US)

(73) Assignee: Medicis Pharmaceutical Corporation,
Scottsdale, AZ (US)

(*) Notice: Subject to any disclaimer, the term of this
patent is extended or adjusted under 35
U.S.C. 154(b) by 0 days.

(21) Appl. No.: 10/037,360

(22) Filed: Dec. 21, 2001

(65) Prior Publication Data

US 2003/0130247 A1 Jul. 10, 2003

(51) Int. Cl. A61K 31/58; A61K 31/56;
A61K 47/00; A61K 9/00

(52) U.S. Cl. 514/172; 514/169; 514/170;
514/180; 514/177; 514/178; 514/179; 514/769;

514/785; 424/400

(58) Field of Search 514/169, 170,
514/172, 177-180, 769, 785; 424/400

(56) References Cited

U.S. PATENT DOCUMENTS

3,934,013 A * 1/1976 Poulsen

4,017,615 A 4/1977 Shastri
6,075,056 A 6/2000 Quigley
6,300,926 B1 10/2001 Dobbs

OTHER PUBLICATIONS

PDR 2000, Syntax/Lidex entries, pp. 1726-1727.*

Mori, et al., "Topical Corticosteroids and Unwanted Local
Effects," Drug Safety, 10 (5) 1994, p. 406-412.

Schaefer-Korting, et al., "Topical Glucocorticoids with
Improved Risk-Benefit Ratio," Drug Safety Jun. 1996; 14
(6), p. 375-385.

Dermatology in General Medicine, 5th ed. CD-ROM, 1999,
Chapter 243, p. 1-10, Tables 243-1 and 243-3.

* cited by examiner

Primary Examiner—Shengjun Wang

(4) Attorney, Agent, or Firm—William J. McNichol, Jr.;
Maryellen Fechner; Reed Smith LLP

(57)

ABSTRACT

The present invention comprises a composition, method of
enhancing potency and method of delivering corticosteroids
in a vehicle comprising at least two penetration enhancers,
and solvents and emulsifiers. The propylene glycol and
penetration enhancers are present in ratio to the total of the
propylene glycol, penetration enhancers, and solvents and
emulsifiers of at least about 0.70.

17 Claims, No Drawings



(12) United States Patent
Gans et al.

(10) Patent No.: US 7,217,422 B2
(45) Date of Patent: May 15, 2007

(54) COMPOSITIONS AND METHODS FOR ENHANCING CORTICOSTEROID DELIVERY

(56) Field of Classification Search 514/169, 514/170, 172, 177-180, 171, 69-180; 424/400, 424/401

See application file for complete search history.

(75) Inventors: Eugene H. Gans, Westport, CT (US); Mitchell S. Wortsman, Scottsdale, AZ (US)

(56) References Cited

U.S. PATENT DOCUMENTS

3,934,013 A * 1/1976 Poulsen 514/170

FOREIGN PATENT DOCUMENTS

EP 0 020 794 A 1/1981

WO 91/08733 A 6/1991

OTHER PUBLICATIONS

Physicians' Desk Reference, 51 Edition, 1997, pp. 2299-2300, for example.

Bennet et al., "Optimization of bioavailability of topical steroids: non-occluded penetration enhancers under thermodynamic control", Journal of Pharmacy and Pharmacology, vol. 37, No. 5, 1985, pp. 298-304.

* cited by examiner

Primary Examiner—San-Ming Hui

(74) Attorney, Agent, or Firm—William J. McNichol, Jr.; Maryellen Fechner Hank; Reed Smith LLP

(57)

ABSTRACT

The present invention comprises a composition, method of enhancing potency and method of delivering corticosteroids in a vehicle comprising at least two penetration enhancers, and solvents and emulsifiers. The propylene glycol and penetration enhancers are present in ratio to the total of the propylene glycol, penetration enhancers, and solvents and emulsifiers of at least about 0.70.

16 Claims, No Drawings

(21) Appl. No.: 10/407,354

(22) Filed: Apr. 4, 2003

(65) Prior Publication Data

US 2003/0186951 A1 Oct. 2, 2003

Related U.S. Application Data

(62) Division of application No. 10/037,360, filed on Dec. 21, 2001, now Pat. No. 6,765,001.

(51) Int. Cl.

AG1K 3/156 (2006.01)

AG1K 47/44 (2006.01)

(52) U.S. Cl. 424/400; 514/171; 514/180;

514/169



(12) United States Patent
Gans et al.

(10) Patent No.: US 7,220,424 B2
(45) Date of Patent: May 22, 2007

**(54) COMPOSITIONS AND METHODS FOR
ENHANCING CORTICOSTEROID
DELIVERY**

(58) Field of Classification Search: 514/160,
514/170, 171, 172, 177-180; 424/420-401
See application file for complete search history.

(56) References Cited

U.S. PATENT DOCUMENTS

(58) 3,930,013 A * 1/1976 Puskin 514/170

FOREIGN PATENT DOCUMENTS

EP 0 020 794 A 1/1981
WO 9105733 A 6/1991

OTHER PUBLICATIONS

Physician's Desk Reference, 51 Edition, pp. 2299-2300, for
example.
Bantek et al., "Optimization of bioavailability of topical steroids:
not-a-wasted, percutaneous substances under thermodynamic con-
ditions", Journal of Pharmacy and Pharmacology, vol. 37, No. 5, 1985,
pp. 398-394.

* cited by examiner

Primary Examiner—Sac-Ming Hui
(74) Attorney, Agent, or Firm—William J. McNichol, Jr.;
Maryellen Festhely Hahn; Reed Smith LLP

(57)

ABSTRACT

The present invention comprises a composition, method of
enhancing potency and method of delivering corticosteroids
to a tissue, comprising or laser run remington enhances,

Related U.S. Application Data

(62) Division of application No. 10/037,360, filed on Dec.
21, 2001, invent. Date No. 27/25/01